

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MIRANDA L. PANDA, et al.,

Plaintiffs,

v.

**Civil Action 2:18-cv-1159
Judge George C. Smith
Magistrate Judge Jolson**

SHANA M. KECKLEY, et at.,

Defendants.

ORDER

The docket reflects that Defendants waived service of the Complaint (Doc. 2), that the time for filing an answer has passed, and that Plaintiff has not moved for the entry of default.

Local Rule of Court 55.1 provides as follows:

55.1 DEFAULTS and DEFAULT JUDGMENTS

(a) If a party makes proper service of a pleading seeking affirmative relief but, after the time for making a response has passed without any response having been served and filed, that party does not request the Clerk to enter a default, the Court may by written order direct the party to show cause why the claims in that pleading should not be dismissed for failure to prosecute.

(b) If a party obtains a default but does not, within a reasonable time thereafter, either file a motion for a default judgment or request a hearing or trial on the issue of damages, the Court may by written order direct the party to show cause why the claims upon which default was entered should not be dismissed for failure to prosecute.

(c) Nothing in this Rule shall be construed to limit the Court's power, either under Fed.R.Civ.P. 41 or otherwise, to dismiss a case or one or more claims or parties for failure to prosecute.

Pursuant to that Rule, Plaintiff is **DIRECTED** to show cause within 14 days from the date of this Order why this action should not be dismissed.

IT IS SO ORDERED.

Date: January 18, 2019

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE